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13 Attorneys for Plaintiffs Oracle USA, Inc.,
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14 Corp.

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

18 ORACLE USA, INC., a Colorado corporation;
19 ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
20 CORPORATION, a California corporation,

Plaintiffs,
21 v.

22 RIMINI STREET, INC., a Nevada corporation;
SETH RAVIN, an individual,

23 Defendants.

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Case No 2:10-cv-0106-LRH-PAL

**PLAINTIFFS ORACLE USA, INC.,
ORACLE AMERICA, INC., AND
ORACLE INTERNATIONAL
CORPORATION'S MOTION TO
SEAL EXHIBIT B TO JOINT CASE
MANAGEMENT CONFERENCE
STATEMENT**

PLAINTIFFS' MOTION TO SEAL

Pursuant to the Stipulated Protective Order governing confidentiality of documents entered by the Court on May 21, 2010 [Docket No. 55] (“Protective Order”) and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle International Corporation (together “Oracle” or “Plaintiffs”) respectfully request that the Court order the Clerk of the Court to file under seal Exhibit B to the Joint Case Management Conference Statement (“Exhibit B”). Exhibit B was lodged under seal with the Court on March 25, 2011 [Docket #129].

9 Sealing Exhibit B is requested because the document contains information designated by
10 Defendants Rimini Street, Inc. (“Rimini”) and Seth Ravin (“Ravin”) as “Confidential” under the
11 terms of the Protective Order. The requested relief is necessary and narrowly tailored to protect
12 the confidentiality of the commercially sensitive business information identified by Rimini and
13 Ravin. The Protective Order provides that: “Counsel for any Designating Party may designate
14 any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential Information -
15 Attorneys’ Eyes Only’ under the terms of this Protective Order **only if such counsel in good**
16 **faith believes that such Discovery Material contains such information and is subject to**
17 **protection under Federal Rule of Civil Procedure 26(c).** The designation by any Designating
18 Party of any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential
19 Information – Attorneys’ Eyes Only’ shall constitute a representation that an attorney for the
20 Designating Party reasonably believes there is a valid basis for such designation.” Protective
21 Order ¶ 2 (emphasis added).

22 Thus, in identifying Exhibit B as “Confidential,” the designating parties have represented
23 that good cause exists for sealing Exhibit B. This is a sufficient showing of good cause to permit
24 a sealing order on a non-dispositive motion. *See, e.g., Pacific Gas and Elec. Co. v. Lynch*, 216 F.
25 Supp. 2d 1016, 1027 (N.D. Cal. 2002).

26 The entirety of Exhibit B has been designated as Confidential by Rimini and Ravin. The
27 parties have submitted all other materials in the Case Management Conference Statement for
28 filing in the Court's public files, which would allow public access to the filings except for those

1 portions containing information designated as Confidential. Accordingly, the request to seal is
2 narrowly tailored.

3 For the foregoing reasons, Oracle respectfully requests that the Court find that good cause
4 exists to file under seal Exhibit B.

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6 DATED: March 25, 2011

BOIES SCHILLER & FLEXNER LLP

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By: /s/ Kieran P. Ringgenberg

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Kieran P. Ringgenberg

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Attorneys for Plaintiffs

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Oracle USA, Inc., Oracle America, Inc.,

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and Oracle International Corp.

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UNITED STATES DISTRICT COURT

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Case No 2:10-cv-0106-LRH-PAL

[PROPOSED] ORDER GRANTING
PLAINTIFFS ORACLE USA, INC.,
ORACLE AMERICA, INC., AND
ORACLE INTERNATIONAL
CORPORATION'S MOTION TO
SEAL REPLY IN SUPPORT OF
MOTION FOR PRESERVATION
ORDER

1 **[PROPOSED] ORDER**

2 Pending before this Court is Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle
3 International Corporation (together “Oracle” or “Plaintiffs”) Motion to Seal Exhibit B to the
4 Joint Case Management Conference Statement [Docket #130]. Federal Rule of Civil Procedure
5 26(c) provides broad discretion for a trial court to permit sealing of court documents for, inter
6 alia, the protection of “a trade secret or other confidential research, development, or commercial
7 information.” Fed. R. Civ. P. 26(c). Having considered Plaintiffs’ Motion to Seal, compelling
8 reasons having been shown and good cause existing:

9 IT IS HEREBY ORDERED THAT: Plaintiffs’ Motion to Seal is GRANTED.

10 The Clerk of the Court shall file under seal the Exhibit B to the Joint Case Management
11 Conference Statement.

12 IT IS SO ORDERED.

13 DATED: March 29, 2011

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15 By: 
16 Hon. Peggy A. Leen
17 United States Magistrate Judge

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